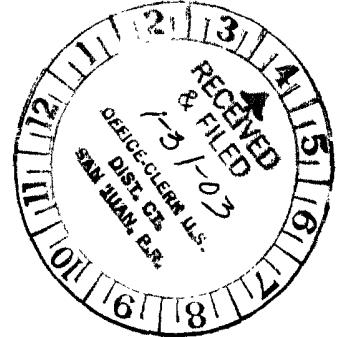


UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICOMETROPOLITAN LIFE INSURANCE
COMPANY,

Plaintiff,

v.

NATIONAL COMMUNICATIONS
SYSTEMS, INC., d/b/a NATIONAL
BENEFIT COMMUNICATION, INC., et als.,
Defendants.

CIVIL NO. 97-2331 (DRD)

ORDER

The subscribing Judge advised the parties, since at least October 29, 2002, that the present case would be transferred to Senior Visiting Judge, Hon. Robert A. Ward. The Court further advised that Hon. Judge Ward would be handling all matters should there be no settlement in this case. (Docket No. 326).

The subscribing Judge remained in the case only to attempt a settlement. Indeed, various settlement conferences have been held. (See Minutes of Proceedings of August 28, 2003 (Docket No. 322); November 21, 2002 (Docket No. 327); December 16, 2002 (Docket No. 329)). The parties have considerably narrowed the gap between them, and a settlement with one of the parties, Mr. George Miller, is very close. However, no settlement has been officially announced.

The Judge also advised the parties that, in the best interest of justice, because one of the parties professional long standing continued relationship (law clerk) with a Judge in this district, and in order to avoid even an appearance of partiality, it is best to assign the instant case to a Visiting Judge. See 28 U.S.C. § 455; In Re International Business Machines Corp., 618 F.2d 923 (2nd Cir. 1980). Hence, the parties were notified that the Senior Judge of the Southern District of New York, would be assigned the case.

Consequently, the subscribing Judge recuses himself from further participation in the case. The pending hearing as to the disqualification of Goldman, Antonetti & Cordova's law firm shall be held before Hon. Judge Robert A. Ward.

The Clerk of the Court shall transfer the case permanently to the docket of Hon. Judge Robert A. Ward.

IT IS SO ORDERED.

DANIEL R. DOMINGUEZ
U.S. District Judge

Rec'd: _____ EOD: _____

By: # 331